

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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Secretary to the Commission

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OPINION 154

On the status of the names *Phaneroptera*
Serville, 1831, and *Tylopsis* Fieber, 1853 (Class
Insecta, Order Orthoptera)

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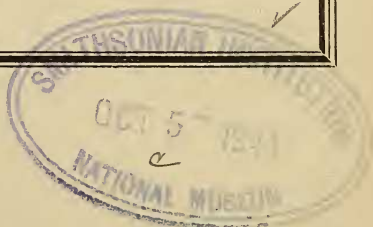
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OPINION 154.

ON THE STATUS OF THE NAMES *PHANEROPTERA* SERVILLE, 1831, AND *TYLOPSIS* FIEBER, 1853 (CLASS INSECTA, ORDER ORTHOPTERA).

SUMMARY.—Under suspension of the rules *Gryllus falcata* Poda, 1761, is hereby designated as the type of *Phaneroptera* Serville, 1831. The name *Phaneroptera* Serville with the type indicated above, and the name *Tylopsis* Fieber, 1853, with type *Locusta lilifolia* Fabricius, 1793 (Class Insecta, Order Orthoptera), are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 598 and 599.

I.—THE STATEMENT OF THE CASE.

Both *Phaneroptera* Serville, 1831, and *Tylopsis* Fieber, 1853, were included in the long list of generic names drawn from many Phyla and Classes dealt with in the paper published in 1915 by Commissioner K. Apstein under the title "*Nomina conservanda. Unter Mitwirkung zahlreicher Spezialisten herausgegeben von Prof. C. Apstein, Berlin*" (*SitzBer. Ges. naturf. Fr. Berl.* 1915 (5): 119–202). Commissioner Apstein proposed that these two names should be treated as "*nomina conservanda*" (i.e. that they should be placed on the *Official List*) and that "*falcata* F., 1793" should be declared to be the type of *Phaneroptera* Serville and that "*lilifolia* [sic], F., 1793" should be declared to be the type of *Tylopsis* Fieber.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. Commissioner Apstein communicated his list to the Commission in the course of 1915 and in December of that year the Secretary to the Commission suggested that the most satisfactory way of dealing with this proposal would be to refer the various portions of which it was made up to special advisory committees on the nomenclature of the groups concerned. This course was adopted but, as was inevitable, the reports from the committees were a long time in coming in. In 1922, the Commission agreed to render an *Opinion* (*Opinion* 74), in which they pointed out that they had no power to adopt *en bloc* the list submitted by Com-

missioner Apstein but indicated that they were prepared "to consider names separately upon presentation of reasonably complete evidence".

3. In 1923 (in a letter dated 4th May) Dr. A. N. Caudell of the United States National Museum, who (at the request of the International Commission) had been studying the generic names in the Orthoptera included in Commissioner Apstein's list, submitted the following proposal as regards *Phaneroptera* Serville:—

I herewith transmit for official decision by the International Commission the matter of genotype of the orthopterous genus *Phaneroptera* of Serville. This genus was established by Serville in 1831, *Ann. Sci. Nat.*, vol. xxii, p. 138, with two species originally included, *Locusta lilifolia* Fabricius and *Locusta curvicauda* DeGeer. No genotype was selected by the author, Serville, nor was such a selection made until 1906, when W. F. Kirby, *Syn. Cat. Orth.*, vol. ii, p. 434, selected the *Gryllus falcatus* of Poda¹ as the type of *Phaneroptera*. Deeming this selection of *falcatus*, a species the name of which was not mentioned in the original publication of *Phaneroptera*, as unwarranted, the present writer, *Journ. Wash. Acad. Sci.*, vol. xi, p. 487, 1921, selected the species *Locusta curvicauda* DeGeer as the genotype of *Phaneroptera*. My reasons are set forth in my article cited but I may repeat here that both included species, *lilifolia* and *curvicauda*, had been removed prior to the citing of any genotype for *Phaneroptera*, *lilifolia* having become the genotype of the monobasic genus *Tylopsis* Fieber, 1853, and *curvicauda* the genotype of *Scudderia* Stål, 1873, also a monobasic genus. By the rules of your Commission the removal of one of the two included species from *Phaneroptera*, through its selection as the type of another genus, limits the remaining species as the type of the old genus. Thus *curvicauda* became automatically the type of *Phaneroptera* when *lilifolia* was eliminated, thus my designation.

But there is dispute, some maintaining that *falcatus* Poda is the type of *Phaneroptera*, this view being based upon the fact that Serville, *Orthoptères*, p. 420, footnote, 1839, published the fact that he had mis-determined the species *Locusta lilifolia* of Fabricius, the species he had being really *Gryllus falcatus* Poda, credited however by him at this reference to Carpentier or Scopoli.

This matter seems to me to be one of a genus based on a misidentification and is really covered by *Opinion* 65 of your Commission, though the conditions show a shade of difference from those there discussed. But the arguments there considered and which lead up to the decision rendered, apply here with equal strength. Thus it would seem that the decision ought to be the same, that is that the type of a polybasic genus automatically selected, by the elimination of other eligibles by removal as genotypes of other genera² should stand regardless of misidentification. It would appear that to deny correction in one case and permit it in another might be considered absurd. And to permit correction in the case of the genotype of the bibasic, or polybasic, genus would create all the confusion that would arise by doing the same in the case of the

¹ This name was published by Poda as *Gryllus falcata*.

² *Opinion* 6, which is the only *Opinion* which deals with this type of case, is expressly limited to genera published prior to 1st January 1931 with only two originally included species, neither of which is designated as the type by the original author. That *Opinion* has no bearing upon genera originally published with three or more species.

monobasic genus. My remarks on page 153³ of the *Opinion* 65 bear directly on the point.

The references to literature bearing on this matter are as follows :

- 1831. Serville, *Ann. Sci. Nat.*, vol. xxii, p. 158.
(erects genus *Phaneroptera*)
- 1839. Serville, *Orthoptères*, p. 420, footnote.
(corrects determination of *lilifolia*)
- 1906. Kirby, *Syn. Cat. Orth.*, vol. ii, p. 434.
(cites *falcata* as genotype of *Phaneroptera*)
- 1921. Caudell, *Journ. Wash. Acad. Sci.*, vol. xi, p. 487.
(cites *curvicauda* as genotype of *Phaneroptera*)
- . Internat. Commission, *Opinion* No. 65, and discussion by various authors.

4. On receipt of Dr. Caudell's letter, Dr. C. W. Stiles, Secretary to the Commission, submitted this case to the Committee on Nomenclature of the Entomological Society of Washington, with a request that that body would furnish him with its opinion from the standpoint of entomology. In making this request, Dr. Stiles furnished the Committee with the following preliminary memorandum that he had prepared for communication to the International Commission :—

*Preliminary memorandum prepared by Dr. C. W. Stiles, Secretary
to the International Commission on Zoological Nomenclature.*

Attention is invited to *Opinion* 65 which states that "The Commission is of the opinion that as a specimen is the type of a species, so a species is the type of a genus, and hence that when an author names a particular species as type of a new genus it is to be assumed that it has been correctly determined. If a case should present itself in which it appears that an author has based his genus upon certain definite specimens rather than upon a species it should be submitted to the Commission for consideration."

The premises presented to the Commission do not show that Serville, 1831, based his genus upon any particular specimens but rather upon two species, namely, *Phaneroptera lilifolia* (Fabricius) from the suburbs of Paris and *P. curvicauda* (DeGeer) from Pennsylvania. In 1839, p. 420, Serville recognised that *P. lilifolia*, from his point of view of 1831, was a composite species, namely *P. falcata* (syn. *lilifolia* of 1831 pars) and *P. lilifolia* (1793, restr.). The Secretary has been unable to trace *P. curvicauda* in 1839. Any restricted unit of the two original species is available as type.

According to the premises there are three restricted original units from the standpoint of Serville, 1839, namely *falcata*, *lilifolia* and *curvicauda*.

According to the premises also, Fieber, 1853, took *lilifolia sensu stricto* as type of *Tylopsis* and Stål, 1873, took *curvicauda* as type of *Scudderia*. In neither case was the original genus *Phaneroptera* rendered monotypic in the sense of *Opinion* 6, International Commission. Accordingly, so far as the premises have been presented to the Commission, Kirby, 1906, was at liberty to select any of the two original (1831), namely three restricted (1839), species as type. He accepted Serville's (1839) identification of *falcata* with *lilifolia* pars and definitely designated this unit as genotype. Accordingly, *lilifolia* pars of Serville from the

³ See *Smithson. misc. Coll.* 2256 : 153, published in March 1914.

suburbs of Paris (= a subjective synonym of *falcata* Poda, 1761) is the type of *Phaneroptera*, provided the premises are correct that this (1906) was the first definite designation of genotype.

5. In accordance with Dr. Stiles's request, this matter was duly considered by the Committee of the Entomological Society of Washington, whose conclusions were embodied in a document entitled *Opinion* 5 of that Committee) bearing the date 25th October 1923 and signed by S. A. Rohwer (by whom it was stated to have been drafted), A. C. Baker, and Carl Heinrich. This document reads as follows:—

The type of *Phaneroptera* Serville

Summary.—From the evidence submitted it is evident that Serville in 1831 wrongly applied a Fabrician name to the first species he placed in the genus *Phaneroptera* and that his genus included two species only (*lilifolia* Serville =) *falcata* Scopoli and *curvicauda* DeGeer. *Falcata* Scopoli was therefore correctly selected as the genotype by Kirby in 1906. In our judgment *Opinion* 65 has no bearing on this case.

Statement of case.—*Summary by this committee.*

Serville in 1831 described the genus *Phaneroptera* and included two species:

1. *Phaneroptera lilifolia* (Fabr.) = (*Locusta lilifolia* Fabr.). Environ de Paris.
2. *Phaneroptera curvicauda* (DeGeer) = (*Locusta curvicauda* DeGeer) Pennsylvania.

No mention is made of a genotype nor is there any statement which would lead one to assume that the identification of either of the species is incorrect. In 1839, however, Serville says, "It is an error on my part to have believed that the unique *Phaneroptera* inhabiting the vicinity of Paris was the *Locusta lilifolia* of Fabr." and he goes on to say that it was *Gryllus falcatus* instead.

In 1853 Fieber used *Locusta lilifolia* Fabr. (not the misidentification of the species of Serville of 1831) as the single species, hence the type, for his genus *Tylopsis*. In 1873 Stål used (and removed from the genus *Phaneroptera*) *Locusta curvicauda* DeGeer as the single species, hence the type for his genus *Scudderia*. In 1906 W. F. Kirby named *Gryllus falcatus* (= *Locusta lilifolia* Serville, 1831 (nec Fabr.) as pointed out by Serville (1839)) as the type of the genus *Phaneroptera* Serville. In 1921 Caudell (believing that Kirby's type citation of 1906 was incorrect) cited *Locusta curvicauda* DeGeer as the type of *Phaneroptera*.⁴

Discussion.—Inasmuch as Serville neither in 1831 nor 1839 designates any species as the genotype, *Opinion* 65 cannot be said to cover this case. The first author to designate a genotype for the genus *Phaneroptera* was Kirby, in 1906, and at this time he had an opportunity to select either (*lilifolia* Serville (not Fabr.) =) *falcatus* Scopoli or *curvicauda* DeGeer. *Curvicauda* DeGeer had in 1873 been removed from the genus and Kirby wisely selected *falcatus* as the type of *Phaneroptera*. The inclusion of the name *falcatus* is based on Serville's correction, 1839, where he definitely states that the species he had referred to as *lilifolia*

⁴ At this point the Committee quoted in full (i) the original application to the International Commission by Dr. Caudell (see paragraph 3 above) and (ii) the preliminary memorandum prepared by Dr. Stiles (see paragraph 4 above).

in 1831 is *falcata* Scopoli. From Serville's correction in 1839 it is evident that he had only two species before him in 1831, and that insofar as the species which he called *lilifolia*, his conception of the genus was founded on specimens. These specimens came from the environs of Paris and represent the species *falcatus*.

We cannot agree with the second sentence of paragraph two of the above cited circular letter ⁵ as we find no evidence that Serville in 1839 says his *lilifolia* of 1831 is a composite species. He only states his identification of *lilifolia* in 1831 was wrong. Nor can we agree with the third paragraph of circular 66 ⁵ in saying that according to the standpoint of Serville, 1839, there were three units, namely *falcata*, *lilifolia* and *curvicauda* in the genus. Serville does not admit *lilifolia* to be in the genus in 1839 and there is nothing to indicate that he was dealing with more than two species, *falcata* and *curvicauda*. To admit the composite species idea and to assume that in the composite you still have the true species is, it seems to us, opening the door to a variety of opinions. It is a well-recognised fact that as our knowledge in systematic work has advanced there has been a closer and closer definition of species and because of this many of the species of the old writers have been divided. Such a division of a species has not, however, been made in this case.

We presented this entire case again to Mr. Caudell for consideration and he submits the following additional data in a letter to Rohwer dated June 7, 1923 :

I can but deplore a decision permitting a third species, and one not mentioned among those originally included, being cited as the type of a bibasic genus while *Opinion* 65 prohibits a second species being similarly cited as the type of a monobasic genus.⁶ It is illogical.

If the mere citing of a locality for included species of a genus, as in the case of *lilifolia* in the genus *Phaneroptera*, throws said genus without the range of *Opinion* 65 of the International Commission and makes it a case referable to the Commission for separate decision, then I would call attention to the probability that scarcely one old genus out of ten will come under *Opinion* 65, the other ninety percent coming under the heading of those to be referred to the Commission for separate decision. It is doubtful if the Commission intended to consider the mere citing of localities as evidence that the genus was based on specimens rather than on species, thus making it necessary to render separate decisions on most older genera.

In the briefs on this matter undue stress is laid upon the statement of Serville in 1839, eight years after the establishment of the genus *Phaneroptera*, that an error of determination was concerned in the included species. The original citation is the pertinent one, and subsequent treatment by the author of a genus should carry no more weight, nomenclatorially, than if by any other person.

We therefore recommend that the Commission in reviewing this case accept Serville's statement in 1839 as correcting an error and accept the citation of *falcata* as the type of the genus, validated from Kirby's selection in 1906.

6. The documents quoted in paragraphs 3, 4, and 5 above were communicated to the members of the Commission by Dr.

⁵ The document here referred to is the preliminary memorandum by Dr. Stiles quoted in paragraph 4 above. In sending that document to the Committee, Dr. Stiles had made it clear that it was his intention to include it in a circular letter to the International Commission. At the time Dr. Stiles had provisionally assigned the number "66" to this circular. Actually, the number under which it was ultimately issued was 83.

⁶ *Opinion* 65 was not intended to do more than lay down a presumption and establish a procedure for dealing with doubtful cases. For the subsequent elaboration of the question dealt with in *Opinion* 65, see *Official Record of Proceedings of the International Commission on Zoological Nomenclature, Lisbon Session, 1935* (Lisbon Session, 2nd Meeting, Conclusion 23) (1943, *Bull. zool. Nomencl.* 1:23-25) and *Opinion* 168.

Stiles in a circular letter (C.L. 83) dated May 1924. Dr. Stiles reminded the Commission that "cases of mistaken determination such as is before the Commission in *Phaneroptera* have given us no end of trouble in years past" and invited from the Commissioners "an expression of opinion in this case so that he [Dr. Stiles] may tabulate the views" before a final vote was taken.

7. In March 1925, Dr. Stiles reported to the Commission (in circular letter 96) the following views that had been expressed on this question by individual Commissioners in the light of the documents circulated for their consideration in circular letter 83:—

- (i) Apstein : "*falcata* Typus des Genus *Phaneroptera* ist."
- (ii) Handlirsch : "The type species is *falcata* Poda."
- (iii) Horváth : "The genotype of *Phaneroptera* Srv. is *Gryllus falcatus* Poda⁷ (= *Phaneroptera lilifolia* Serv. nec. Fabr.)."
- (iv) Jordan, K. : "The unanimous opinion of the British Entom. Committee on Nomenclature is this: a genus is based on species, not on names; the genotype is a species, not a name.
 "*Phaneroptera* Serville, 1831, was based on two insects; Kirby in 1906 was at liberty to select one of the two as genotype, there being no prior selection. He selected the species erroneously identified by Serville as *lilifolia* F. The correct name of this species is *falcata* Poda. Not the letters *falcata* are the genotype of *Phaneroptera*, but the insect to which this name is applied."
- (v) Kolbe : "Ich halte es für gut, die genotypen Species in folgender Weisse zu verteilen.
 "1. *Phaneroptera* Serv., 1831, mit *falcata* Poda.
 "2. *Tylopsis* Fieb., 1853, mit *lilifolia* F.
 "3. *Scudderia* Stål, 1873, mit *curvicauda* De Geer."
- (vi) Monticelli : "The typical species of *Phaneroptera* is *falcata* Poda."
- (vii) Skinner : "The type should be *Gryllus falcatus* Poda."⁷
- (viii) Bather : "*curvicauda* De Geer became automatically the type of *Phaneroptera* when *lilifolia* was eliminated by Fieber, 1853, as type of *Tylopsis*.

"Treating this question purely in its legal aspect, i.e. by the letter of the law, I hold that we must first inquire what was the position in 1831 and the seven succeeding years. Having been unable to look up the original literature, I take the premises of the circular letter, and find that a genus

⁷ For the correct form of this name as published by Poda, see footnote 1.

existed with two genosyntypes, *Locusta lilifolia* Fabricius and *L. curvicauda* De Geer. There was (as I understand) nothing to suggest any misidentification to the minds of contemporary readers; at any rate Serville himself did not suggest it. Therefore the genoholotype of *Phaneroptera* must be one of those two species. Serville in 1839 did not select a genotype, and what he then said may have elucidated his intention but could not alter the legal situation. We are bound in these cases not by what an author means to say or might have said, but by what he actually said. The next step was the removal of *Phaneroptera lilifolia* (Fabr.) as genotype of *Tylopsis* by Fieber in 1853, leaving *Phaneroptera curvicauda* (De Geer) as genoholotype of *Phaneroptera*. These facts remain unaffected by any subsequent action, but have as corollary that *Scudderia* Stål was *ab initio* a synonym of *Phaneroptera*, and that a new generic name was *ex hypothesi* required for *Gryllus falcatus* Poda⁷—and, for all I know, still is required.”

In the light of the foregoing preliminary expressions of opinion by Commissioners, Dr. Stiles then called upon the Commission to vote on the question of the type of the genus *Phaneroptera*.

8. By March 1927, eight (8) Commissioners (Apstein; Neveu-Lemaire; Handlirsch; Horváth; Jordan, D. S.; Jordan, K.; Monticelli; Stiles) had voted in favour of the issue of an *Opinion* declaring that *Gryllus falcatus* Poda, 1761, was the type of *Phaneroptera* Serville, 1831; two (2) Commissioners (Bather; Warren) had voted in favour of the issue of an *Opinion* declaring *Locusta curvicauda* De Geer, 1773, to be the type of that genus; and two (2) Commissioners had expressed themselves as undecided. At this time the Commission was beginning to consider the procedure to be adopted at their meeting due to be held at Budapest later in that year. In notifying to the Commission the foregoing particulars regarding the state of the voting in this case, Dr. Stiles suggested that “Commissioners Handlirsch and Neveu-Lemaire consider and report on this case at Budapest”.

9. At the first meeting of the Budapest Session held on 29th August, 1927, the Commission (Budapest Session, 1st Meeting, Conclusion 9) assigned various outstanding propositions to *ad hoc* committees for examination and report. Under this procedure, the case of *Phaneroptera* Serville was referred to a special committee consisting of Commissioner Karl Jordan (Conclusion 9(j)).

10. Commissioner Jordan came to the conclusion that the most satisfactory way of dealing with this case would be to refer it to the International Committee on Entomological Nomenclature for consideration and report. In 1929, the International Commission decided to invite the International Committee to consider also the whole of the proposals relating to the generic names contained in the list submitted by Commissioner Apstein in 1935 (paragraph 1 above), together with a report on some of the names in question that had been furnished to the Commission by Dr. A. N. Caudell and an additional list of names (including *Phaneroptera* Serville) submitted to the Commission by Commissioner A. Handlirsch in 1929. The International Committee on Entomological Nomenclature were unable to dispose of the considerable amount of preliminary work in time to permit of their formulating a report on the questions at issue at their meeting held in Paris during the Fifth International Congress of Entomology. It was necessary therefore for the Committee to adjourn the matter for final consideration at their meeting to be held at Madrid in 1935.

11. When the International Committee met at Madrid in the second week of September 1935, one of the first problems to which they addressed themselves was that of the type of the genus *Phaneroptera* Serville. After careful consideration, the International Committee came to the conclusion that it was desirable that *Gryllus falcata* Poda, 1761, the species which was generally recognised as the type of *Phaneroptera* Serville, should be categorically declared to be the type of that genus. The International Committee considered that the most satisfactory way of disposing of this case would be for the International Commission to make use of their plenary powers to declare under suspension of the rules that the type of *Phaneroptera* Serville was *Gryllus falcata* Poda, on the ground that the strict application of the rules in this case would clearly result in greater confusion than uniformity. The International Committee accordingly adopted a resolution in this sense for submission to the International Commission as their report in this case. At the same time, the Committee agreed to recommend the International Commission to add the name *Phaneroptera* Serville, so validated, to the *Official List of Generic Names*, together with the name *Tylopsis* Fieber, 1853 (type: *Locusta lilifolia* Fabricius, 1793).

12. These and other resolutions adopted by the International Committee on Entomological Nomenclature at its meeting held at Madrid were confirmed by the Sixth International Congress of

Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

13. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the genus *Phaneroptera* Serville was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

14. This case was considered by the International Commission at their meeting held on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusions 19 and 20), when the Commission agreed:—

as regards the name *Phaneroptera* Serville (Conclusion 19)

- (a) to "suspend the rules" in the case of the generic name *Phaneroptera* Serville, 1831 (*Ann. Sci. nat.* 22: 158);
- (b) in virtue of (a) above, to validate the name *Phaneroptera* Serville, 1831, and to declare its type to be *Gryllus falcata* Poda, 1761, *Ins. Mus. graec.*: 52;

- (c) to place the generic name *Phaneroptera* Serville, 1831, validated as in (b) above and with the type there specified, on the *Official List of Generic Names*; and
 (d) to render an *Opinion* in the sense of (a) to (c) above.

as regards the name *Tylopsis* Fieber (Conclusion 20) ⁸

to render an *Opinion* placing on the *Official List of Generic Names* the under-mentioned twenty-two ⁹ nomenclatorially available generic names in the Orthoptera, with the types indicated, each of which has been duly designated in accordance with the provisions of the Code :—

Name of genus	Type of genus
(22) <i>Tylopsis</i> Fieber, 1853, <i>Lotos</i> 3 : 172	<i>Locusta</i> <i>lilifolia</i> Fabricius, 1793, <i>Ent. syst.</i> 2 : 36 (monotypic)

15. The foregoing decisions in regard to the name *Phaneroptera* Serville were embodied in paragraph 26 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology. The decision in regard to the name *Tylopsis* Fieber was embodied in paragraph 24 of the same report.

16. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) :—

that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements, and to take such other action, as might appear to them necessary or expedient :—

- (i) to establish the Secretariat of the Commission at its new headquarters;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;
- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

17. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress

⁸ Only those portions of Conclusion 20 which relate to the present case are here quoted. For the full text of this Conclusion see 1943, *Bull. zool. Nomencl.* 1 : 17-19.

⁹ The other twenty-one generic names here referred to have since been dealt with in *Opinion* 149.

of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on Saturday, 21st September 1935, the last day of the Congress.

18. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 13 above), the case of *Phaneroptera* Serville was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.¹⁰ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of *Phaneroptera* Serville, one communication only has been addressed to the Commission raising certain objections to the suspension of the rules in this case. This communication, which was dated 1st March 1937 and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington. The passage in that document relating to *Phaneroptera* Serville reads as follows :—

This generic name was originally published with two included species, *Locusta lilifolia* F. and *L. curvicauda* Degeer. The first type designation was by Kirby, 1906 (*Syn. Cat. Orthop.* 2: 434) who named *Gryllus falcatus* Poda¹¹ type as he considered Serville's *lilifolia* to be a misidentification for *falcatus*. It appears, however, that, at least in the absence of conclusive evidence that the author based his names upon certain definite specimens, the species originally included must be presumed to have been correctly identified. Kirby's designation of a species not originally included is therefore invalid; and *curvicauda* Degeer, definitely named type of *Phaneroptera* by Caudell, 1921 (*Jour. Wash. Acad. Sci.*, vol. 11: 487), must be considered type of the genus under the Rules. In the publication just cited Caudell properly suppressed *Scudderia* Stål, 1873, as a synonym of *Phaneroptera* since both have the same genotype, *Locusta curvicauda* Degeer. At the same time he proposed a new generic name *Anerota*, with *Gryllus falcatus* Poda¹¹ as type, for the group of species remaining in *Phaneroptera* without valid generic assignment. All this, which was done 15 years ago, is in accord with the International Rules. No change in super generic names is involved and no serious confusion has resulted from Caudell's action. There appears to be no sound reason, therefore, for setting aside the rules in this case and designation as type of *Phaneroptera* a species not originally included.¹²

¹⁰ See Declaration 5.

¹¹ For the correct form of this name as published by Poda, see footnote 1.

¹² For the text of the more detailed communication previously received from the same source containing a recommendation in the opposite sense, see paragraph 5 above.

19. Immediately upon its receipt by the Commission, copies of the document from which the above is an extract were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein.

20. The representations in regard to the case of *Phaneroptera* Serville referred to in paragraphs 18 and 19 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held on 18th September 1935 (for the text of which see paragraph 16 above). The Conference (Plenary Conference, 1st Meeting, Conclusion 11):—

- (a) took note that within the twelve months following the advertisement of the action proposed, representations had been received from the Committee on Nomenclature of the Entomological Society of Washington in regard to the names *Locusta* Linnaeus¹³ and *Phaneroptera* Serville;
- (b) took note that, although a copy of the communication referred to above had been transmitted to each member of the Commission immediately upon its receipt, no member of the Commission had expressed himself as being in agreement with the representations contained therein;
- (c) agreed that the communication referred to in (a) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year;
- (d) agreed that, in view of (b) and (c) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decision set out in paragraph 26 of the report of their Lisbon Session in regard to the names *Locusta* Linnaeus and *Phaneroptera* Serville and therefore that *Opinions* should be issued as soon as possible in the sense indicated in the said paragraph of the Commission's report that had been approved and adopted by the Twelfth International Congress of Zoology at the Concilium Plenum held at Lisbon on 21st September 1935.

21. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

¹³ The case of *Locusta* Linnaeus has since been dealt with in *Opinion* 158.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt' *vice* Richter; and Mortensen *vice* Apstein.

22. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to certain of the provisions of the present *Opinion*; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the name *Phaneroptera* Serville dealt with in the present *Opinion* has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its Meeting held in Monaco in March 1913, and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion* :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Com-

mission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Four (*Opinion* 154) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifteenth day of April, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Three Parts have so far been published : Part 1 (introductory, including an account of the functions and powers of the Commission and a summary of the work so far achieved) ; Part 2 (relating to the financial position of the Commission) ; Part 3 (containing the official records of the decisions taken by the Commission at their meeting at Lisbon in 1935).

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

Volume 1 will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-12 (containing *Declarations* 1-9 and *Opinions* 1-3) have now been published.

Volume 2 commences with *Declaration* 10 and *Opinion* 134. Parts 1-25 (containing *Declarations* 10-12 and *Opinions* 134-155) have so far been published. The titles of these *Opinions* are given on the wrappers to Parts 1 and 2 of the *Bulletin*. Other Parts will be published shortly.

AN URGENT APPEAL FOR A FUND OF £1800 TO ENABLE THE INTERNATIONAL COMMISSION TO CONTINUE ITS WORK

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the " International Commission on Zoological Nomenclature " and crossed " Account payee. Coutts & Co.".